S.B.Cr. Misc. Petition No. 683/2006
(Shiv Prakash Vs. State of Rajasthan)

Date of order : 04/07/2006

HON'BLE MR.H.R.PANWAR, J.

Mr. Prakash Sharma for the petitioner.
Mr. Ashok Upadhyay, public prosecutor for the State.

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 195/2005 Police Station, Kotgate, Bikaner for the offences under Sections 467, 468, 471, 420, 120-B IPC.

I have heard learned counsel for the petitioner and public prosecutor for the State. Perused the first information report in question.

Complainant Satish Kumar Sharma, Assistant Personnel Officer, Office of Divisional Railway Manager, Bikaner, lodged a first information report alleging therein that from the personal record and on being inquired, it was found that the petitioner forged the documents and on the basis of forged documents got one Raj Kumar appointed in Railways at Ambala Mandal. The petitioner is presently posted at Bikaner and his service record is also at Bikaner. It was alleged that the

petitioner has forged the signature of Assistant Personnel Officer, pasted his signature on some copies and on preliminary inquiry, it was established that on the note of Divisional Personnel Officer Incharge, he pasted blank paper and the signature of Divisional Railway Manager which was on some other paper. On the strength of such a forged document, the petitioner got Shri Rajkumar appointed.

I have carefully gone through the first information report. A bare reading of the first information report discloses the offences of cheating, forgery and using a forged document as genuine and therefore, it cannot be said that the FIR does not disclose any offence. In view of the decision of Hon'ble Supreme Court in State of Haryana Vs. Bhajan Lal, 1992 (Suppl.) 1 SCC 335, in my view, no case for quashing the FIR is made out. It cannot be said that the investigation in FIR case in any case would result in manifest injustice or abuse of process of any Court.

The criminal misc. petition is, therefore, dismissed. Stay petition also stands dismissed.

(H.R.PANWAR),J.

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